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| 4 | BOARD MEETING |
| 5 | OF THE |
| 6 | CALIFORNIA PRISON INDUSTRY AUTHORITY |
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| 9 | THURSDAY, JUNE 28, 2018 |
| 10 | 10:00 to 11:33 a.m. |
| 11 | |
| 12 | |
| 13 | |
| 14 | Held at: |
| 15 | CALIFORNIA PRISON INDUSTRY AUTHORITY SHOWROOM |
| 16 | 2125 NINETEENTH STREET, SUITE 100 |
| 17 | SACRAMENTO, CALIFORNIA 95818 |
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| 24 | Reported By: VICKI L. BRITT, CSR No. 13170, RPR |
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THURSDAY, JUNE 28, 2018, SACRAMENTO, CALIFORNIA, 10:00 A.M. 1 2 CHAIR KERNAN: I call this meeting of the Prison 3 Industry Board to order at 10:00 a.m., and I would also like to note that this meeting is being held at a publicly 4 5 noticed location. Board Secretary, please call the roll. 6 SECRETARY VUONG: Chair Kernan? 7 CHAIR KERNAN: Here. SECRETARY VUONG: Vice-Chair Singh? 8 9 VICE-CHAIR SINGH: Here. 10 SECRETARY VUONG: Member Aghakhanian? 11 DR. AGHAKHANIAN: (No response.) 12 SECRETARY VUONG: Member Davison? 13 MS. DAVISON: Here. SECRETARY VUONG: Member Jenkins? 14 15 MR. JENKINS: Here. 16 SECRETARY VUONG: Member Jennings? 17 MR. JENNINGS: Here. 18 SECRETARY VUONG: Member Kelly? 19 MR. KELLY: Here. 20 SECRETARY VUONG: Member Martin? 2.1 MR. MARTIN: (No response.) 2.2 SECRETARY VUONG: Member McGuire? 23 MR. MCGUIRE: Here. 24 SECRETARY VUONG: Member Steeb? 25 MS. STEEB: Here.

1 SECRETARY VUONG: Let the record show that we have 2 a quorum of eight members. 3 CHAIR KERNAN: Very good. Well, welcome Board 4 Members and attendees, and thank you for being here today 5 for our Board Meeting. 6 I think I'd like to start by telling you all that 7 I'm retiring. To start it off on a good note. 8 [Applause]. It's been three and a half years since I 9 10 unretired, and those days have went tortiously slow, but the 11 years miraculously fast. But it has been a great pleasure 12 to work with all of you in what I believe is one of the top prison industries in the country, and I think the staff and 1.3 14 our Executive Officer over there has done just an incredible 15 job of, you know, I think, distinguishing PIA as something 16 that is a remarkable piece of rehabilitation and what we've 17 done in this department in the last several years. 18 just been a real, real pleasure to work with all of you. Ι 19 wish you all well and the best in the future, and, who 20 knows, I'm going to stick around and maybe work at 2.1 St. John's as a volunteer. 2.2 [Applause] 23 So now let's get to opening business. Chuck. 24 MR. PATTILLO: Well, first of all, Board comments. Any comments from the Board? 25

CHAIR KERNAN: Thanks for acknowledging I screwed up the first thing. Board Members, is there anything you guys would like to say? MS. STEEB: We're going to miss you. Hopefully not -- hopefully we'll see you in other places, but we're going to miss you in this role. Thank you. CHAIR KERNAN: Thank you very much. Chuck. MR. PATTILLO: Good morning Board. My name is Chuck Pattillo. I'm the General Manager of PIA and the Executive Officer for the Board. First off, I'd like to congratulate Secretary It's actually been a very short three and a half years. I think we're all aware that the relationship between PIA, the Executive Officer, and the Secretary, or Chair of the Board has a lot to do with the way this organization is run. So the last three years plus have been very smooth and drama free. But it's also created a lot of opportunities because the Secretary has been one of the first calls when we've got something weird to do or something that they need help on, a programming issue that

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is normally out of the box. And so from those things, we've

partnerships with the counties, and our Technology Programs,

created issues such as Pre-Apprenticeship Programs, more

which have just gone through the roof. So, Scott, I

around somewhere. Thank you.

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Board Members, today's a very significant day
because for two reasons. One is our Annual Plan is adopted.

I believe I provided everybody, except one Board Member, a
briefing, so we're going to give a little bit of background
on the budget. The second one is the recognition of
employees and other staff that help PIA do their missions.

So there will be two parts today.

With that, are there any questions I can -- I can acknowledge Mr. Martin on the record.

MR. MARTIN: Thank you.

MR. PATTILLO: If I can have you, we're going to pull out the Annual Plan here.

The picture on the front is actually a picture of our Culinary Program. That's Vincent Morales, who is our instructor, and this is one of the very unique partnerships. We haven't had a Culinary Program in CDCR in a lot of years that was so tied to the community colleges and certifications. This model program is now being rolled out from the state by CDCR in other locations, and potentially we may do an additional one, but it's been very successful.

Our Proposed Budget is our Operational Activities for the next year. If you open to page one, the Annual Plan here, we estimate revenues to increase by 7.8 percent or \$18.5 million from the approved Mid-Year Revise of

\$256.2 million.

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In reality that is not a large stretch. As I briefed each one of the Board Members, not only did our revenues exceed projections this year, our profit exceeded expectations this year, primarily from our inability to fill some positions where we've had to work overtime with staff, especially in our Healthcare Facilities Maintenance and our General Facilities, where we can't fill those positions, and so we're working overtime a lot. Those positions — the benefits for those jobs are actually about 120 percent of what the actual price of the salary is, and Ms. Steeb and I had this conversation I think yesterday. So what happens when we're working high amounts of overtime, it's actually cheaper, and that's where the money's been made up.

What we have done with a lot of our revenues in the past year, we've reinvested in CDCR and training for ourselves. One of the things that we were authorized to do this year with redirected funds was to fund the Wardens Program with UC Davis. And we also funded Strategic Planning and Organizational Health Assessments for CDCR this year, which we're actually project managing out of our office.

Overall, the biggest work done out of here -- the notable increases -- we have minor increases in revenue overall, but our major increase is from the Healthcare

Facilities Maintenance Program. As of July 1, we are reengaging down in the Stockton facility, which is the one we didn't go to for Healthcare Facilities, but we're only doing the auditing and the training portion of it. The actual staffing will be done half by CDCR and half by Pride Industries. Some of you may have seen this come through the budget where there was a wholesale swing. It was supposed to go from Pride to SEIU, but that didn't occur. We'll still be involved in that in the training side of that.

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The biggest investments that we're seeing in our budget this year, overall investments -- we'll talk about it -- is CTE programs. We've added 17 CTE Programs for a total of 45 statewide. Within there is an additional investment of half a million dollars to implement the Multi-Craft Core Curriculum (MC3), which is a statewide curriculum that is supported by the State Trades Council, State Building Trades Council. We worked with the Governor's Office and the Labor agency and a few other folks throughout the year to come to an amenable solution because the first offer was Trades would like to pull out what we were doing, not us, CDCR, and implement this trade agreement, and we worked, and we all basically integrated the two together. The fact that we got involved in those discussions somehow put us on the lead in implementing this year, so we're working through that.

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There's also significant investments in carpentry.
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     The Carpenters Union is not part of the State Trades
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     Council, and now neither is the Laborers Trade Council.
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               MR. JENNINGS: Well, the Laborers from the south
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     are, and the Carpenters, it was announced yesterday, are
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     going to reaffiliate. I'm not sure when. I think it's --
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     well, you might know.
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               MR. KELLY: News to me.
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               MR. JENNINGS: Yesterday I was at a board meeting,
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     and it was announced that they are going to reaffiliate
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     maybe January 1st. I'm not sure of the date.
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               MR. PATTILLO: Statewide?
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               MR. JENNINGS: Statewide.
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               MR. PATTILLO: Really? That's interesting.
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               So part of this is we made significant investments
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     in training that's in State Trades Council and the partners.
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     If they all come together, that's fine. The carpenters
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     program we're expanding at Vacaville and two other
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     institutions. In addition to our Pre-Apprenticeship
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     Programs, we've taken over the MC3 curriculum statewide.
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     We're also implementing the Roofers Curriculum for a roofing
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     program because CDCR has a big deficiency in roofing.
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     Unfortunately, they don't have a training portion of that.
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               I want to back up. There are two documents that
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     are on your desk for me to look at. So we increased to
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8,000 positions in PIA. The issue that we're having right now is we can only fill about 5,500 of those positions because we are having difficulty filling the positions statewide. We're not the only one that's having that trouble. Corrections has a similar difficulty.

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What we started working on about a year ago is a new model for training in the trades, and what that would be is that before someone can go to CDCR Inmate Ward Labor, which is the Construction Division of Corrections, or before they could go to Plant Operations, they now have to go through the PIA or Office of Correctional Education

Training, and that's what that May 30th memo says.

And if you look at page 3, there's a model that talks about how you have to go through PIA or Office of Correctional Education before you get into Plant Operations or IWL. It's going to do two things. It's going to put properly trained individuals into CDCR programs that are out there working. I'll use a simple example. What occurs, an offender comes into the prison, his first committee, and he says, hey, I'm an electrician, and so CDCR immediately assigns him to Plant Operations as we're short on electricians. But when you get out there on the job, you find out he wasn't an electrician. He was really a drug addict, who was just stealing copper wire. But in his mind, he was an electrician, and this is a pretty common thing

that happens. So we have to verify what skills these folks have, and by sending everybody through a construction training program or a maintenance program with us, or CDCR, before they're actively working in the institution is what will occur under this memo. So I want to appreciate the Secretary. I started out with this about a year ago, and it took almost a year to get it through, so I appreciate that and the BAI (phonetic) signing off on it.

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The second part -- what we're having trouble with is filling positions at the local level. We don't always have a representative in the institution classification of things. So what we're going to be rolling out this year -we partially rolled it out last year -- is a halftime position at every institution that is a CDCR retired annuitant, and right now we have 17 of them on staff, and they have to come from that institution, where we need basically the air traffic controller from getting folks from committee, into our programs and then pushing them out to IWL. So we'll be rolling out a halftime retired annuitant at every institution. They have to come from CDCR. have to have worked in inmate assignments at one time, and the range is a Sergeant to a Chief Deputy who will pick up for these jobs. So far, it's worked out for us very well. We'll test it over the year and see if we can increase from the 5,400 that we've got to actually filling the 8,000

1 positions that we have. We can't come up with a better idea 2 right now to facilitate this, and so I think this is a smart 3 move on our part. 4 MR. KERNAN: They had to have worked in inmate 5 assignments at some point in their career? 6 MR. PATTILLO: Yeah. 7 MR. KERNAN: How long? Because I think I did it 8 32 years ago. Would that count? Thinking of the future 9 here. 10 [Laughter.] 11 MS. DAVISON: They'd have to pay you too much. 12 MR. PATTILLO: So it's just one of the challenges 13 that we have in filling the positions. I think it's -- and 14 you're going to see it mostly in our CTE Programs. We have 15 a 50 percent vacancy in our CTE Programs. One of the most 16 effective programs in the United States, with a 7 percent 17 recidivism rate, and we've got 50 percent of them filled. 18 So I think before we think about investing widely in 19 programs, we need to make sure we can fill the ones we have. 20 The last part of this. This is something that 21 Scott sent us on -- the Secretary sent us on probably over a 2.2 year ago, is Prison to Employment. And the Prison to 23 Employment Initiative is a \$37 million appropriation from 24 the Governor's budget over the next two years, and I've got 25 an EDD announcement there. This came out of a work plan

that Milo Fitch and I wrote probably about 15 months ago. It had a little different words in it at the time, but it got through as a program, and then Bill Muniz, who is the Workforce Coordinator for CDCR, took it and ran, and we got this thing funded. And what this does, it puts money out into the communities, specifically Workforce Investment Boards, to serve ex-offenders regardless if they come from CDCR or from a county. That was very important because if you're asking anybody, that's justice-involved. In this case, it could be federal inmates that get released into California.

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There hasn't been an incentive for years for
Workforce Investment Boards to service ex-offenders because
literally there was no money for it, so they couldn't score
anything else like that. Very smart move on the Governor's
part to, you know, first, call for this back in September.
We'd already been working on it. Scott pushed it forward,
and then to get it adopted this spring. Tomorrow, the
Governor will actually announce this at our Workforce
Employers Forum in Sacramento at 10:00 a.m. tomorrow.

With that, we're going to continue on to the budget. We anticipate our net profit this year to be \$3 million. In there, the other significant investments we made are two things. One came out of a conversation I had with Board Member Martin, whose constant criticism of this

one aspect is, Chuck, everything is in your head. You need to put more of that stuff on paper. And I told him, we have a Strategic Plan. He said that's fine, but you don't have the implementation pieces on papers. Part of that is because of our Project Management. And so we've invested very heavily in Project Management, Centralized Project Management, in the current and future year so we can bring all our Project Management activities together, so we can actually get all of our projects out the door because we are falling behind. We have a lot of projects on the books, and we just don't have enough people to implement them or resources.

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Changus has been hired at PIA. She just started last week, and she's taking over all Project Management activities.

She has an extensive background, mostly through electronic project management, with a couple insurance companies, her own firm, and it so happens I picked her out of my MBA cohort is where I stole her from. So she just graduated this summer also. So she'll be joining us as Chief of Project Management going forward.

The other piece of this is, as you see, a line item for the Center of Excellence in there, and for lack of a better term, that's what it got called for right now.

Basically what it is is taking all of our accounting

resources that are specialists and putting them into one location so that they can affect the day to day change of our manufacturing/accounting system.

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One of the cons of letting all the cons out was we found out that we have a lot of lifers who knew a lot about our accounting system because we personally train them on it, but as they left, we found out a lot of them were our experts out in the field. So a lot of our training ability really went down, so we're trying to bring it back up with staff and inmates together so we can have a more formidable, more accurately running accounting system so we're able to plan better. But it was amazing for me to see how our abilities went down when the offenders started leaving because we rely on them a lot, and we have for a lot of years.

With that, that's the budget portion of it. We talked about the increase in Career Technical Education from \$12.6 million to \$14.6 million. A lot of that is one-time investments, like the roofing programs and whatnot. Some of that will fall off next year.

 $\label{eq:And with that, if I can answer any questions on this portion of it?$

MR. KERNAN: Thank you. As a reminder, if any person of the public would like to make a comment regarding this item, please have the speaker request form filled out

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     and then come forward and state your name and affiliation.
                           I'm trying to remember back about the
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               MR. KELLY:
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     retired annuitants you hired. I remember a while back, a
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     way while back probably, we got ourselves in trouble doing
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     that. I don't remember if it was through the unions or if
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     it was an audit or something?
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               MR. PATTILLO: No, that was statewide.
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     wasn't actually us. One of the allegations was that they
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     were relying too heavily on retired annuitants to do jobs
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     when they should have been filling them with state
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     employees. In this case, I don't have the specialty to do
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     that. I don't have staff that know the corrections system,
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     the SOMS system, whatnot, but statewide that was an issue.
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               MR. KELLY: Okay. Thank you.
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               MR. KERNAN: Seeing no other questions, can I have
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     a motion to approve Action Item A.
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               VICE-CHAIR SINGH: So moved.
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               MR. KELLY:
                           Second.
               MR. KERNAN: Board Secretary, please take roll.
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               SECRETARY VUONG: Member Davison?
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               MS. DAVISON: Agree.
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               SECRETARY VUONG: Member Kelly?
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               MR. KELLY: Yes.
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               SECRETARY VUONG: Member Jenkins?
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               MR. JENKINS:
                             Yes.
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| 1 | SECRETARY VUONG: Member Jennings? |
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| 2 | MR. JENNINGS: Yes. |
| 3 | SECRETARY VUONG: Member Martin? |
| 4 | MR. MARTIN: Yes. |
| 5 | SECRETARY VUONG: Member McGuire? |
| 6 | MR. MCGUIRE: Yes. |
| 7 | SECRETARY VUONG: Member Steeb? |
| 8 | MS. STEEB: Yes. |
| 9 | SECRETARY VUONG: Vice-Chair Singh? |
| 10 | VICE-CHAIR SINGH: Yes. |
| 11 | SECRETARY VUONG: Chair Kernan? |
| 12 | CHAIR KERNAN: Aye. |
| 13 | SECRETARY VUONG: Motion passes nine to zero. |
| 14 | CHAIR KERNAN: Action Item B. |
| 15 | MR. PATTILLO: Action Item B is actually a couple |
| 16 | different parts. If you'd go to Exhibit B2. So our overall |
| 17 | Capital Plan this year is approximately \$22 million of |
| 18 | investments. It's laid out in B2 and B3. I've gone through |
| 19 | with everybody these on the phone. I know Mr. Martin wasn't |
| 20 | with me on the capital side, but I wanted to make one |
| 21 | mention because there isn't anything in there for the dairy. |
| 22 | Mr. Martin's been very helpful to me on looking at |
| 23 | the Dairy Operation, and, you know, capital investment there |
| 24 | versus return on investment. So one of the things is we |
| 25 | don't have money for the dairy, for upgrades. We're working |

on a plan to go forward that is profitable, but we want to make sure that this is a going forward business for a long, long time.

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There's a couple things that are coming up on the ballot in the fall about the ability to raise animals in certain spaces, and we're not sure how that's going impact us either. As you know, several years ago, our chicken population was affected with Prop 2, where we went from having a normal chicken operation to where the chicken had to have 9 feet to do the hokey pokey. There was a lot of stuff done on there, so it impacts your business. So we're waiting for a policy to see how that turns out.

Most of the investments that you'll see at CTE, we have almost \$4 million in investments in CTE Programs.

While we certainly can fund the operational portion of it, the facilities that we're going into need massive upgrades. For an example, CIW, where we just launched a technology program this year, it took \$725,000 to upgrade two classrooms primarily because the electricity, water, sewer, those kind of things, are so poor that we end up having to upgrade nearly the entire building just to bring two classrooms online. So you see a lot of those type of expenditures.

The Central Office improvements are basically moving to our MIS Suite. Several of you have been out

there. You've seen the building got dropped. We're ready to close that one up. It's a 14,000 square foot building in the backside that houses our MIS Unit as we move to plow it actually.

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The other ones are minor capital investments that you see below, and if you go over to Item B3, our Field Operations is approximately \$15.1 million. Significant investments in there to our Optical Coding, which is our optical labs at VSP in Solano, to bring the equipment up-to-date. What's happening right now is there's going to be an increase in the Medi-Cal prescriptions in the next year due to legislation that's going through and potential funding that's coming through, so we'd want to be ready for that. There's also money in there for preplanning to add a third Optical Lab at CCWF. As you've heard us discuss before, when we moved the Optical Lab from female to male, our issue of quality actually was impacted, and so as this grows, I think it's appropriate to be brought back in a female prison where we first had such success before we flipped it over.

The other significant investments that are in here is a DMV ID project. We're in a partnership with DMV to build a van that will provide mobile identification services to prisons. We're designing it. We're building it, and it will benefit all of CDCR when we do that.

MS. DAVISON: (Applause.) I just had to say that. That has been just such an ongoing issue for offenders to have an ID when they leave prison, and it impacts their ability to do so many things upon parole, so I applaud you, Chuck. Thank you once again for bringing this to the forefront.

MR. PATTILLO: Thank you.

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The other investments that you see in there is statewide surveillance, and that's a catch-all for all of our camera systems out there. Currently, right now, the Secretary had a discussion with the Department of Finance. They're very sensitive about the expansion of camera systems out in the prisons, not only for the fiscal impact, but how that will impact the labor force.

We look at it a different way. For us, it's anti-contraband, and so any time contraband's coming into a PIA facility, or even coming out of a prison, it impacts PIA. So we've been able to utilize lower cost camera systems that have a higher visibility, that are state-of-the-art, and where we're having problems, we've been installing them.

We just did a recent installation in Folsom. It's a pretty incredible camera system. It's a flare, foreign looking infrared. It operates on a radar system where if they pick up a heat sensor, we automatically get messaged on

our phones if you're on that list, that, hey, there's someone out there. And so, instead of when the contraband would be dropped, we'd have to have 40 officers out there looking for it, we know where the person is and where the contraband got dropped. We don't monitor it at all. It goes to the institution ISUs, Investigative Services Units. We record all the data for them. And so it's been very helpful combating contraband, and I think we're going to be rolling out a few more of those. I met with the Department of Finance at the Secretary's request, who was actually fine after we explained what we were doing, so that worked out well.

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MS. STEEB: Chuck, if I may ask? What was their concern, just financial, the financial outline?

MR. PATTILLO: You know, Finance gets tweaked about stuff. I don't even know why they were tweaked about this. This one was, I think they were concerned about one expenditure, actual expenditure, because they weren't sold on that technology, cameras, and, also, how it's going to impact the workforce because, obviously, labor had some concerns about cameras constantly running. That's in the institutions, not so much with us, because we're not pointing it at the institution. We're really focusing on the outside. Our cameras put in all of our food factories is a smart investment for us to have to that. It used to be

if there was a fight -- and we have fights once in a while in the factories -- I mean, between inmates, hopefully not my staff -- and it's good to have it on camera because now we're down two hours because we know who did what because we've got it all on camera versus a seven day to seven week sometimes investigation that will shut down the food factory, and then we have to go out and buyout food to fulfill that contract, so it's been a huge money saver. CHAIR KERNAN: We, Michele, have fitted two prisons now with, like, 250 cameras at both High Desert and CCWF, so we have been advancing video surveillance on our site. The storage, the memory, all have ongoing costs, so I think Finance is concerned that we at least do that with open eyes as we try to expand it. Many of the systems, you know, like the feds and a lot of the privates, they have full camera systems throughout their system. To do it in CDCR would be about \$250 million, and so we have started incrementally doing it prison by prison

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To do it in CDCR would be about \$250 million, and so we have started incrementally doing it prison by prison because we think it's good to deter violence, deter contraband, and it's the right thing to do.

MS. STEEB: Yeah, it makes sense for CDCR, but, you know, we're a self-supporting agency, so it's just interesting that they would question it.

MR. PATTILLO: Oh, they never were actually questioning us about it. What it was is the Secretary's

concern. Sensitive to what their concerns were, so we called them up, said, "hey, what's your concerns with us doing it?" And once we explained it to them, they were good.

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CHAIR KERNAN: And our budget's grown to \$12.1 billion with the Governor signing it the other day, so, yes, I'm very sensitive that finance is happy and continues to fund us.

MS. STEEB: I get it now. Thank you.

MR. PATTILLO: So the overall capital brings us — we're going to go back to Designation of Cash, which is the first table. As you go down the right-hand column, I want to point something out to you about Cash on Hand Before Commitments. If you go to the bottom line, there's a negative \$153,000. I'd like you to go about nine lines, where you see the \$1,190,000. I need the pointer and the board. Sorry. This is where I'm looking, right there about nine up (indicating). You see the \$1,190,000, and that represents if we implement this complete plan, this is what would happen.

What it doesn't take into consideration is our increase in revenue that we haven't declared in net profit for the current year. We anticipate coming back in September -- we can't do it during this budget -- to redo this document again and add in the correct estimate of net

profit, which is a bit higher than this, and will bring us back into the black.

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The two line items that we will continue to carry and score is commitment to Workers' Compensation and commitments for vacation time off. The remainder of those below, based on the Governor's budget, or last year that was signed into statute, that we are not to fund OPEB, as we know, pension, or anything else, but I think it's wise that we keep a running total of what this organization's tab is going forward.

One of the interesting things this year is we have to start contributing, and we did, \$840,000 to the payback of the OPEB Fund, when, in fact, we gave at the office last year \$62.6 million, so we're kind of getting double billed on this thing, and we're trying to figure out a way we can get around that, but I don't think that's going to happen. I just know how these things go. I've been pounding my head on the door for 10 years now.

So our numbers will basically balance out in September. I wanted to point those numbers out to you.

I've talked with each of you about the individual net profit for the year.

With that, can I answer any questions on this?

MR. KELLY: Just a follow up. Since the Optical, since we're expanding that and remodeling, when is the last

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time we looked at our security protocols there just to make
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     sure they are the best we could do?
               MR. PATTILLO: Currently, we have audits that are
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     done constantly on it. We have ISO Procedure.
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     to me being here, there was an issue about Social Security,
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     that we resolve that issue. We have federal audits too,
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     plus, we have an independent that comes in.
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               You know, Social Security is the most sensitive
 9
            Obviously, today is when we've got them coming into
10
     the prisons, but they never make it into the prison anymore.
11
     Everything's done outside, and then only the glass goes
12
     inside. That is constant now, Curtis.
13
               MR. KELLY:
                           Thank you.
14
               CHAIR KERNAN:
                              Seeing no other questions, is there
15
     any members of the public that would like to make a comment
16
     regarding this item? Seeing none, may I have a motion to
17
     approve Action Item B?
               MR. JENNINGS: So moved.
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19
               MR. KELLY: And a second.
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               CHAIR KERNAN: Motion and a second.
               Board Secretary, please call roll.
2.1
2.2
               SECRETARY VUONG: Member Davison?
23
               MS. DAVISON: Yes.
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               SECRETARY VUONG: Member Kelly?
25
               MR. KELLY:
                           Yes.
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| 1 | SECRETARY VUONG: Member Jenkins? |
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| 2 | MR. JENKINS: Yes. |
| 3 | SECRETARY VUONG: Member Jennings? |
| 4 | MR. JENNINGS: Yes. |
| 5 | SECRETARY VUONG: Member Martin? |
| 6 | MR. MARTIN: Yes. |
| 7 | SECRETARY VUONG: Member McGuire? |
| 8 | MR. MCGUIRE: Yes. |
| 9 | SECRETARY VUONG: Member Steeb? |
| 10 | MS. STEEB: Yes. |
| 11 | SECRETARY VUONG: Vice-Chair Singh? |
| 12 | VICE-CHAIR SINGH: Yes. |
| 13 | SECRETARY VUONG: Chair Kernan. |
| 14 | CHAIR KERNAN: Aye. |
| 15 | SECRETARY VUONG: The motion passes nine to zero. |
| 16 | CHAIR KERNAN: Action Item C. |
| 17 | MR. PATTILLO: Action Item C, and if you've seen |
| 18 | this about five times, this will be the fifth and final time |
| 19 | you will see it. This is a Vehicle Procurement Authority. |
| 20 | And what occurred at our last Board Meeting, which was over |
| 21 | six months ago, we had adopted regulations and language that |
| 22 | stated that CALPIA had their own authority to purchase |
| 23 | vehicles, which we've always known, but was a disagreement |
| 24 | between us and the Department of General Services at the |
| 25 | time that that we eventually resolved. |

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And what we did with an agreement between
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 2
     Secretary Batjer, Secretary Kernan, and the Governor's
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     Office, DGS Legal and our Legal, was that for purposes of a
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     state agency, for purposes of procurement, CALPIA is not
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     considered a state agency, so that's how they amended the
 6
     statute. It went into the Trailer Bill, and where we are
 7
     now is I just brought it back for acknowledgment and
 8
     adoption here. It's already gone into the budget already.
 9
     It was previously done. This kind of cleans up any
10
     disagreements we might have had and allows the State
11
     Controller's Office to continue to reimburse us for our
12
     vehicle purchases. Mr. McGuire, are you --
13
               MR. MCGUIRE: No, we're all in agreement.
14
               MR. PATTILLO: That would be it.
15
               CHAIR KERNAN: Any comments from the Board?
16
     comments from the public?
17
               Board Secretary.
18
               SECRETARY VUONG: Is there a motion?
19
               MR. KELLY: So moved.
20
               MR. JENSEN:
                            Second.
2.1
               SECRETARY VUONG: Seconded by Mr. Jennings?
2.2
               MR. JENSEN: Yes.
23
               SECRETARY VUONG: Member Davison?
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               MS. DAVISON: A resounding yes.
25
               SECRETARY VUONG:
                                 Member Kelly?
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| 1 | MR. KELLY: Yes. |
|----|---|
| 2 | SECRETARY VUONG: Member Jenkins? |
| 3 | MR. JENKINS: Yes. |
| 4 | SECRETARY VUONG: Member Jennings? |
| 5 | MR. JENNINGS: Absolutely. |
| 6 | SECRETARY VUONG: Member Martin? |
| 7 | MR. MARTIN: Yes. |
| 8 | SECRETARY VUONG: Member McGuire? |
| 9 | MR. MCGUIRE: Yes. |
| 10 | SECRETARY VUONG: Member Steeb? |
| 11 | MS. STEEB: Yes. |
| 12 | SECRETARY VUONG: Vice-Chair Singh? |
| 13 | VICE-CHAIR SINGH: Yes. |
| 14 | SECRETARY VUONG: Chair Kernan. |
| 15 | CHAIR KERNAN: Aye. |
| 16 | SECRETARY VUONG: Motion passes eight to zero. |
| 17 | CHAIR KERNAN: Action Item D. |
| 18 | MR. PATTILLO: Item D, our General Counsel Jeff |
| 19 | Sly. |
| 20 | MR. SLY: Good morning. I'm Jeff Sly, General |
| 21 | Counsel, for the California Prison Industry Authority and |
| 22 | the Counsel for the Board. |
| 23 | Before I get started on Action Item D, I passed |
| 24 | out a new updated Title 15 to everybody since you see these |
| 25 | regulations periodically. We've accumulated enough that it |

was time to update our Title 15, so this is the newest version. We'll start passing them out to staff on Monday, but I wanted to give you guys a copy so that you could see in advance that all of the work that we're doing and all of the regulations that you approved are accumulating into a broader set of regulations for PIA.

2.2

Having said that, I also passed out to everybody a little one page item that has a couple of yellow highlights on it. I'm going to ask to make a couple changes to the Exhibit D2 for Action Item D. I've got some extras if you can't find it.

So, essentially -- well, first, by way of introduction of Action Item D, we had a problem develop at the Sierra Conservation Center, which was basically focused there to begin with, but I anticipate that that kind of thing could happen in other locations. Some of our factories, practically the majority of them, I believe, have some written requirements, written notifications of procedures, policy acknowledging our regulations, and some of the general rules that the inmates are presented with when they come to work at the factory. Most of them require them to acknowledge those by signing them at the end if they've been given a copy and read them. This one particular inmate did not want to sign that and refused to sign it. His stated objection at the time was that one of

the rules was that you could not steal anything from the factory, stealing the supplies, and he didn't think that we had the authority to tell him he couldn't do that, so he refused to sign that acknowledgment and was immediately unassigned from our factory.

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As a result of that unassignment, he proceeded to file six 602 Inmate Appeal Complaints against our staff and against PIA, which we responded to all of those, and he was basically told that maybe there was enough of those filed, he proceeded to start filing Staff Complaints, which, apparently, there's no number on limitation on the number of Staff Complaints that an inmate can file, so after three or four more of those that we're still dealing with, we decided that perhaps we could just write a regulation and put an end to this. So subdivision D is the result of that. We tried to make it an actual written, specific requirement in our regulations that inmates, when they are assigned to a PIA factory and they're in fact given written documents acknowledging the rules and the regulations, and there have been policies and procedures to function within that environment, that they are actually required to sign that, and if they don't, it acknowledges that they will be immediately unassigned.

Having said that, there's two changes that we'd like to make. It came to our attention that in subdivision

F, part four of that, which is the top line in the extra handout we gave you, some of our staff asked that in the procedure that they have fulfilling these vacant positions, a lot of documents, lists that they submit with regards to eligible inmates, get kicked back to one of our managers to sign and acknowledge those, and they don't feel that that's necessary. It's kind of time consuming and often delays the ability to get inmates assigned, so they asked us to adopt this change to make it so that they don't have to be signed and approved by the individual managers once the list is compiled by the staff.

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The other two in Subdivision I, which is what we initially started out here with is the rule I just talked about, we had some must language in there, and decided that it might be wiser to make that "may" language since we found out that the majority of our factories use those but not all of them do. So by making that requirement as to the "must" and the "will," we would be forcing the factories that aren't doing that to start doing that, and we decided by making it "may" just addresses the issue where that exists and where it doesn't. So I'd like to ask, ask that you approve this Item and also approve these changes. Once we have that, we're going to go out on our 15 day notice for these changes; otherwise, the package is ready to go to the Office of Administrative Law. Any questions?

MR. JENNINGS: On the change from "must" to "may,"

I'm not sure I understand when the "may" will -- so if it's

not a "must" and now it's "may."

2.2

MR. SLY: Well, the first part, inmates "may" be presented with documents. If it says they "must" be presented with documents, then all of our factories would have to produce those written acknowledgments that they want them to sign it. So if they don't have that process in place, they're not required to do that. If we say "may," it means that an inmate may be presented with that when they come to the factory to come to work.

MR. JENKINS: I understand that, but is the "may" -- the difference is just in the institution. Is it in the province or the discretion of the institution as to whether or not --

MR. SLY: Yes. I'm hoping that eventually they will all move to that process. We have a lot of factories and a lot of people out there, and I didn't want to force everybody to stop what they were doing and produce all this right now. We've advised them that they need to go to that direction. I think eventually that they will. But by saying "may," this provides the out. In other words, if it says you "must" and somebody doesn't get that, then we've got another problem we're creating by, well, I didn't get that and I didn't sign it, so now you can't enforce it.

MR. JENKINS: So does this language in the "may" form address the scenario you described?

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MR. SLY: Yes, because in that institution they are using that form, and so they will see it.

MR. PATTILLO: But some of the history on this, as you know, we have standardized application processes systemwide. We have the majority of all the same documents systemwide. But there's some places where we found we didn't have all the documents that everybody else was using, which is trying to get everybody standardized, and that's what we're working through. So while we're getting through standardized, we had to put the "may" in just — we're not there yet in some places, so we didn't want to force somebody to do something that they weren't ready to do yet.

MR. JENKINS: Okay. I'm curious. You said that that same inmate then filed a number of Staff Complaints, and there's no limit on the Staff Complaints.

MR. SLY: That's what I understand. There's a provision in the Title 15 Inmate Appeals Process that says that if an inmate is deemed to be a vexatious litigant, so to speak, in other words, abusing the process by continually filing the same appeal over and over and over, they can be told that they can't do that anymore. That doesn't exist if they change that to a Staff Complaint. Basically, they're accusing the staff of misconduct, and it's a different

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process that's used for that, even though it looks almost
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 2.
     the same.
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               MR. JENKINS: Is it accurate to say that those
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     complaints were frivolous?
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                         In my opinion, yes, they were frivolous.
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               MR. JENKINS: So who determines that though?
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     rules on each one?
               MR. SLY: As far as the Staff Complaints?
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 9
               MR. JENKINS: Yes.
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               MR. SLY: Well, essentially, different
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     institutions have a different process for how they
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     investigate those. At the Sierra Conservation Center where
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     this is taking place, they assigned it to an Associate
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     Warden, who does the investigation of those, and some of
15
     them are still pending, so those outcomes haven't been made
16
     yet. We're still in that process.
17
               MR. JENKINS: Okay. Just another thought, just
18
    kind of a radar. If the same staff member were subject to a
19
     repeated complaint from women, that staffer themselves could
20
    have an issue, a legitimate issue.
2.1
               MR. PATTILLO: Especially if we haven't addressed
2.2
     it. You're correct.
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               MR. SLY: That was part of the reason why we
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     created this regulation to try to put a limit on at least
25
     this. Now, this particular inmate has a history at that
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institution of filing Staff Complaints against everybody for everything.

MR. PATTILLO: Actually, it holds the record of institutions.

MR. SLY: Yeah, we weren't the only ones having the problem. I just came up with a solution for this particular problem. The inmate will probably find other ways to file such complaints.

CHAIR KERNAN: Mr. Martin?

2.2

MR. MARTIN: So I understand why you're trying to put "may" in, but I look at it as a double-edged sword. As you put "may" in, it also opens the door for the inmate to say, well, I don't have to sign it, and I'm allowed to work there regardless of the fact that I didn't sign it. So "may" is a double-edged sword. I look at it that way.

On Item 4, I'm trying to understand exactly what it is you're trying to accomplish, which is not required to have a manager approval and signature. So what is it exactly that you're trying to accomplish?

MR. SLY: Just taking one step out of the process, so that when they submit this -- so if you go back to your language in Exhibit D2. It would be the first page. This is part of Subdivision 4, so we just took one line out of Subdivision 4 where there's parts 1, 2, 3, 4. If you look at that collectively, this is how they fill the vacant

And, apparently, a couple of our staff members positions. out in the field suggested that in part 4, these things, once the lists are submitted, are kicked back to them if they're not signed, and they said, well, you have to sign them. Now, if we make this regulation that says they don't have to sign it, now they can just go ahead and submit the lists. And each time they want to go to that, I guess, go back through the process, resign them, and resubmit them. It may seem from our perspective right here that it's going to look like why are we doing this? Why is it necessary? Apparently on their end, it takes up a considerable amount of time to go through that process, and they're just wanting to eliminate that time and use lists that are already created, so every time they pull people off the list, they don't have to make a new list, go back through, sign it. MR. PATTILLO: Have a running list, and, also, what's happening is at assignments, if we don't grab the individual right then, we lose the individual. And we're getting lists kicked back because we missed a signature. Well, there's not a requirement to have a signature on this every time. MR. MARTIN: I get the "may," but my concern is can it abuse staff power? I guess, without the manager's signature, they can use it to get whoever they want in that

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particular position and bypass management. I'd say that

"may" opens up the door to possible abuse by staff, so that would be my concern with that language.

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MR. SLY: Should that come to fruition, I'm sure that will be brought to our attention with a 602 or something. We'll keep that in mind, and we'll talk about that further and see if there is a problem, we can do something else to fix that. But right now, that didn't seem to be the focus of the problem. It was more of a time issue and a process issue. And as far as the double-edged sword on the "may," I've never lost a battle on that kind of thing yet, so I'm not sure that -- while I recognize your concern, I get paid to fight those kind of battles, and I've not lost one yet, so I'll take that challenge.

MR. KELLY: Just a thought. When we write our agreements, you know, "must" and "may" never seemed to work for us very well. I mean, I wonder how long until we get where we put in the word "shall." It seems to be a much better word.

MR. SLY: At some point when we've got confirmation that 100 percent of our factories are all doing it, I might come back and ask you guys to allow us to amend that to a "shall." But at this point in time, it would create a problem for those institutions that don't have anything right now.

MR. KELLY: I understand it's a process we're

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     going through. But, I mean, can you give the Board some
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     kind of a time frame when we think it could be "shall"?
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     Months? Years?
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               MR. SLY: I couldn't speculate on that at this
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     point because we haven't necessarily contemplated forcing
 6
     the institutions to do that at this point in time.
 7
     curing the problem from the institutions that already have
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     it, where we've seen a problem come up, and trying to
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     anticipate eliminating the problem if the word gets out and
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     somebody else tries to do that. This is an immediate stop
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     for that problem. I haven't had any problems come to our
     attention from institutions that don't have a formalized
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1.3
     written process for somebody to acknowledge because at the
14
     end of the day --
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               MR. PATTILLO: Hold on one second.
                                                   Let's do this,
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     I can guarantee this will be done in the current year, so
17
     we're going to go ahead and leave it at "must" for right
18
     now, okay?
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               MR. KELLY: Again, if we could have some kind of a
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     time frame -- I don't want to keep coming back and having
21
     complaints --
2.2
               MR. PATTILLO: Six months.
23
               MR. KELLY: I'm good with that.
                                                Thank you.
24
               MR. MCGUIRE: Just an observation that I had.
25
     first part is saying that it's "may" because we don't do it
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consistently at all locations, but the second part is that 1 2 if you're requested by the supervisor to sign these, then 3 you "shall" or you "will" result in immediate -- I think the 4 "may" is okay in the first sentence. I think it should 5 still be "will" in the second sentence, where you've changed 6 it because once you're presented with it, there is no 7 discretion at that point. There's two actions here. One is that we may 8 9 present you with it, and the second one is that once 10 presented, you shall sign it or else. So I think the "will" 11 or "shall," whichever one we have, should still remain in 12 the second sentence, but it's okay to have "may" in the 1.3 first one if we're not consistent on always presenting this 14 document. I'm sorry if that flows another wrench in the 15 water. 16 MR. PATTILLO: This is what we're going to do; 17 we're going to split it out, and we're going to leave the 18 four as it is, and that's a process issue for us. 19 second part there, just changing the first line to "shall" 20 instead of "must." 2.1 MR. MARTIN: I would suggest we change it to 2.2 "may," and that's okay on the first line, so change "must" 23 to "may." 24 MR. PATTILLO: Like Jeff was saying.

MR. MARTIN: Yes, and the second one stays as is

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"will."
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 2.
               MR. PATTILLO: We can do that.
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               MR. SLY:
                         That will work.
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               MR. MARTIN: And I believe that solves your
 5
     problems with institutions.
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               MR. MCGUIRE:
                            Right.
 7
               CHAIR KERNAN: Any other comments?
               MR. JENKINS: Just a clarification.
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                                                    I appreciate
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     the change, and I also support the motion in that way.
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     just to clarify, is that still to say then that for those
11
     institutions that don't have this in place, they can still
12
     be interested in doing something?
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               MR. PATTILLO: Everybody has something.
14
     problem is it hasn't been standardized yet. We're going
15
     through the process. Some have far more documentation when
16
     you start up versus other locations, and until we get that
17
     standardized, that's the issue, and an ISO policy.
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               MR. SLY: Where the problem developed here is -- I
19
     would say that the vast majority, if not all of our
20
     factories, have rules. It's just that a few of them have
21
     reduced those rules to a writing that they want the inmates
2.2
     to sign acknowledging, and that's the issue that we're
23
     dealing with here is the actual requirement. Here are the
24
     rules. Everybody gets the rules. They all have rules.
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               This one institution that we're dealing with here
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had a signature line at the bottom that the inmates were
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     required to sign and acknowledge it. It helped them there
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     to speed up the process for removal if somebody broke those
     rules either through the 115 process or through just having
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 5
     them unassigned.
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               MR. JENKINS: My final comment is I was going to
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     suggest that practice is good for me. When they're
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     reentering a society, and they want to be engaged in
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     society, they're going to be asked repeatedly to sign,
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     acknowledge, and commit to a type of behavior, so better
     learn it now.
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                         That's exactly what we're trying to do.
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               MR. SLY:
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               CHAIR KERNAN: Okay. You guys have really screwed
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     up Action Item B.
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               Is there any members of the public that would like
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     to comment on it? Seeing none, may I have a motion? Chuck,
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     do you want to articulate what the motion would be because
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     it's going to be different?
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               MR. PATTILLO: We just want one change than what
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     we have here, correct? On Line 1, would be instead of
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     striking out "must" -- we're going to leave "may" and change
2.2
     the second one to "shall" -- instead of "will, shall."
23
               CHAIR KERNAN: Okay. So with that, may I have a
24
    motion?
25
               MR. JENNINGS: So moved.
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| 1 | CHAIR KERNAN: And second? |
|----|---|
| 2 | MS. STEEB: Second. |
| 3 | CHAIR KERNAN: Board Secretary, take roll. |
| 4 | SECRETARY VUONG: Member Davison? |
| 5 | MS. DAVISON: Yes. |
| 6 | SECRETARY VUONG: Member Kelly? |
| 7 | MR. KELLY: Yes. |
| 8 | SECRETARY VUONG: Member Jenkins? |
| 9 | MR. JENKINS: Yes. |
| 10 | SECRETARY VUONG: Member Jennings? |
| 11 | MR. JENNINGS: Yes. |
| 12 | SECRETARY VUONG: Member Martin? |
| 13 | MR. MARTIN: Yes. |
| 14 | SECRETARY VUONG: Member McGuire? |
| 15 | MR. MCGUIRE: Yes. |
| 16 | SECRETARY VUONG: Member Steeb? |
| 17 | MS. STEEB: Yes. |
| 18 | SECRETARY VUONG: Vice-Chair Singh? |
| 19 | VICE-CHAIR SINGH: Yes. |
| 20 | SECRETARY VUONG: Chair Kernan. |
| 21 | CHAIR KERNAN: Yes. |
| 22 | SECRETARY VUONG: Motion passes nine zero. |
| 23 | CHAIR KERNAN: Action Item E. |
| 24 | MR. SLY: This was actually the one I thought |
| 25 | might create the most discussion and most confusion, so let |

me try to say, it seems onerous, and there's a lot of sections in there. A while back, we presented you with our Drug Testing Program initially, and you approved that. We submitted it to OAL, Office of Administrative Law, and after lengthy back and forth with them, they approved that Drug Testing Program. So we made the first step in the Prison Industry Authority developing its own individual Drug Testing Program.

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Prior to that, you may recall, our drug testing that was taking place with PIA employees was being done through the Department of Corrections through their process as laid out by rules imposed by CalHR, formally DPA when they made those rules.

In looking at that, we thought that there were some problems with some of those rules, so we wrote our own. After we got that all approved, we were talking with the drug testing companies that we thought we were going to deal with, which I believe is the same drug testing company the Department of Corrections uses, we learned that the vast majority of drug abuse that takes place these days are not with the old style regular actual drugs. They're now synthetics, knockoffs.

So these regulations that we have presented with you now are to incorporate all the synthetics into the testing process, which is going to encompass the vast

majority of the stuff we might come across that would normally come up as a negative test even though somebody might have been under the influence because they weren't being tested for that. So these regulations now are to include all of those synthetic type drugs, or as many as we came up with on the recommendation from the drug testing company to cure that problem.

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Then in order to make all of this flow a lot nicer, we changed some of the numbers, and we numbered some of these regulations so that the sensitive positions which defines who's going to be subject to drug testing shows up first, and then the drug testing program and all the drugs that people are going to be subject to in the process for that will flow behind that. We thought that that would be a more logical, you know, makes it easier to follow process.

And in order to getting to do some of that, we also took our Statement of Incompatible Activities and our Conflict of Interest Code and moved them out further to allow more room for more regulations to come in front of those. So they were our tail—end regulations in the beginning, and now we're starting to fill up other regulations, so we renumbered those to the end. So that's essentially all we've done with this set of regulations, and adding the general manager for the drug testing program.

CHAIR KERNAN: Any questions from the Board?

MR. JENKINS: A quick question. So now I understand that the panel screen will include synthetic drugs?

MR. SLY: Yes.

2.2

MR. JENKINS: Is there a cost associated with that?

MR. SLY: It also incorporates a more modernized testing process. I don't think -- well, there is a cost for drug testing. The cost with regards to the test -- and I can't pronounce all these things. There was initials that go to it, but there was gas -- and then there was the liquid, so we're going to the liquid testing, which is a more thorough testing. I don't recall them suggesting there was any cost difference between those, but they suggested that everybody's moving to this other kind of testing that picks up the synthetic drugs, so that's the process we're going to.

There is a drug testing cost. I can't say right now that I remember exactly what that cost is, but it wasn't significant. But we're already paying that cost when some of our members, our staff, and we don't have a large number of people tested. I think in the last three, four years, we've only done about two, so we're not anticipating this is going to create a flood of problems. It's just that now we're going to be able to do it ourselves, so we will pay

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     that cost. We're paying that now.
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               MR. PATTILLO: There's only one group that's
 3
    mandatory drug testing in PIA and random, and that's our
 4
     truck drivers, but that's under Department of
 5
     Transportation. The rest of it is reasonable suspicion, and
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     there's only been two cases where we've had anything like
 7
     that.
 8
               MR. JENKINS:
                            The only reason I ask is when I ran
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    my agency, and we made the same change because synthetics --
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     the old panels don't pick up synthetics. So when you do
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    make them pick up synthetics, it's important. But we were
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     able to mitigate that cost just by volume. So I was just
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     curious because it sounds like it's not going to be an issue
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     here.
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               MR. SLY: Our volume for testing is pretty
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    minimal.
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               MR. PATTILLO: And that's a good thing. We're
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    pretty diligent about it, if there's an inclination there,
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     but it just hasn't been an issue.
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               CHAIR KERNAN: Any other questions?
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               VICE-CHAIR SINGH: [Inaudible.]
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               MR. PATTILLO: No. On the mandatories, two people
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     came up positive in the last 11 years, and that's pretty
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     good for on the DOT side, and then on both mandatories --
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     excuse me -- the ones we ordered, one was positive and one
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was not, so that's 50 percent of the ones we accrued. 1 2 That's not a huge number, one out of two. 3 VICE-CHAIR SINGH: What particular prison did you 4 have this problem at? 5 MR. PATTILLO: His question was, what particular 6 prison did we have this problem at? One was actually a 7 truck driving operation here local, and the second one was 8 Avenal State Prison. 9 VICE-CHAIR SINGH: Thank you. 10 CHAIR KERNAN: Mr. Martin? 11 MR. MARTIN: Jeff, could you refresh my memory on 12 how the drug testing is going to be done and how the random 1.3 will be administered? I mean, I appreciate that they're 14 going to go to synthetics, and it's really all prescription 15 drugs that a lot of people are on unfortunately, and if 16 legal and not supposed to be operating equipment --17 MR. SLY: So, first of all, there would be no 18 random testing. The random testing that Chuck was just 19 referring to was through the Department of Transportation. 20 That's a completely separate federally regulated process for 21 people that possess commercial drivers licenses. That is a

monthly process. I don't know how frequently somebody's

name gets pulled, but when they do, everybody's that got a

license is subjected to that random testing. They have to

go get that test done when their number is pulled and

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they're notified.

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For ours, it's only reasonable suspicion. So the only time testing will take place is if somebody is observed at work under the influence. We have a process set up, a checklist. There's a couple of steps in the process. Local observation — once local observation has occurred and our folks and part of our process there will also incorporate some assistance from the institutions that are already set up to do this. The two tests that we've had were basically done because CDCR people picked up, under the influence was the ISUs, and they took care of it, just did it, let us know it was going to happen.

If and when it's done through our process that we're invoking, once they have sufficient information filled out on the checklist form, which is already in place, already available through our ISO library, that information will be transmitted up to our Central Office to our Drug Testing Coordinator and to our General Manager, and myself, as the tie-breaking vote -- if you want to call it that -- I would be part of that process for evaluating that, and the General Manager will instruct, yes, we're going to order drug testing. Once he approves that, then the rest of that checklist kicks into place, a person is referred out, taken to a testing facility and tested. So nobody will be tested unless they exhibit signs of being under the influence and

are observed at work doing that.

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MR. MARTIN: So there won't be any preemployment testing either?

MR. SLY: At this point in time, we're not doing any preemployment, no randoms. It's just only reasonable suspicion.

MR. MARTIN: So, then, on the DOT groups that is random tested, is it California DOT, or is it, you know, PIA group only?

MR. SLY: I believe it's probably California-wide because it's nothing that we've done. We haven't gotten into that process yet. Right now, the notification is coming through CDCR. When a commercial truck driving license is pulled, they notify us, and our driver, they have to go be tested.

MR. MARTIN: So with DOT, instead of your own group, based on all of our drivers, they're pulled. They get pulled based on our drivers. It makes them a little more frequent. Make sure that we get the right employees.

My recommendation would be that PIA look into the possibility of doing their own. It doesn't cost anymore. It's just saying that these guys are within our own pool, and they get pulled from our own drivers, so their numbers just get pulled up a little more often just to make sure that they don't have incidents out there.

MR. PATTILLO: Right now we're in the pool with CDCR. That's the pool we're in. But if we could break it down to just our pool, we can do that.

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MR. SLY: Our plan is once we're done with our drug testing process, and it's in place for reasonable suspicion, was to then look at and take over the commercial, the driving test as well. CDCR, when they asked us to take this over, agreed that we would do incrementally, so we've been working on this for, I want to say, six, seven years now. It's been a long time. It's been a slow process.

We had to really go and convince CalHR that we actually had the independent authority to do this in the first place, and that process took quite a while. So once we get this done, which I anticipate if all goes well through Office of Administrative Law this time, these regulations should be approved by them by the end of this year and would go live probably on April 1st of this year.

But once we get this process done, then we'll start looking at the commercial license aspect of it, which is what we agreed to do with CDCR back in the beginning when we started this, and we'd certainly look at what you're talking about at that time. And when we take this over and write our regulations for that, we can set that up that way.

CHAIR KERNAN: Okay. Any more questions of the Board? Any comments from the public?

| 1 | May I have a motion to approve Item E? |
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| 2 | MR. MCGUIRE: So moved. |
| 3 | MR. JENSEN: Second. |
| 4 | CHAIR KERNAN: Board Secretary, please call roll. |
| 5 | SECRETARY VUONG: Before I begin, let the record |
| 6 | reflect that Ms. Davison had to step out, and so we have a |
| 7 | quorum of eight Members. |
| 8 | SECRETARY VUONG: Member Kelly? |
| 9 | MR. KELLY: Yes. |
| 10 | SECRETARY VUONG: Member Jenkins? |
| 11 | MR. JENKINS: Yes. |
| 12 | SECRETARY VUONG: Member Jennings? |
| 13 | MR. JENNINGS: Yes. |
| 14 | SECRETARY VUONG: Member Martin? |
| 15 | MR. MARTIN: Yes. |
| 16 | SECRETARY VUONG: Member McGuire? |
| 17 | MR. MCGUIRE: Yes. |
| 18 | SECRETARY VUONG: Member Steeb? |
| 19 | MS. STEEB: Yes. |
| 20 | SECRETARY VUONG: Vice-Chair Singh? |
| 21 | VICE-CHAIR SINGH: Yes. |
| 22 | SECRETARY VUONG: Chair Kernan. |
| 23 | CHAIR KERNAN: Yes. |
| 24 | SECRETARY VUONG: Motion passes eight to zero. |
| 25 | CHAIR KERNAN: Information Item F. |

MR. PATTILLO: And that's Caryn Argenio from our Industry Employment Program.

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MS. ARGENIO: Good morning, Mr. Chair, Board

Members. I'm the Manager of CALPIA's Industry Employment

Program. If you turn to Tab F, I'll be addressing CALPIA's

Lost Hours for the third quarter and our Accredited

Certifications.

If you'd please go to page 2, you'll see the 2nd and 3rd Quarter comparisons for Lost Hours. From 2nd Quarter to 3rd Quarter, the Lost Hours categories pretty much fluctuated minimally. The most relevant were an increase by 8 percent in the Vacant Lost Hours. That was due to restricted movements, lockdowns, and modified programs in the 3rd Quarter.

The second area that increased the most were in the Other Category by 92 percent. That is typical typically in the 3rd Quarter due to increased Lost Hours due to inclement weather. We see a high increase, obviously, January, February, and March, rain, fog, which affects the Central Valley and the Northern California Institutions, so, therefore, we saw a spike in those areas.

And then, furthermore, there was an increase of 5 percent in our Vacant Lost Hours. That was mostly due to the implementation of the General Facilities Maintenance and Repairs Program, which commenced in January and rolled out

at 23 institutions in the 3rd Quarter, which resulted in 276 new offender positions to be filled. Any questions on Lost Hours?

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Please go to page 3 for Accredited Certifications. As you'll see in the 3rd Quarter, we had a significant increase of 930 Accredited Certification nomination enrollments. This has been a continuing trend as our nomination criteria changed August 1st, which allowed offender participation to significantly increase. So overall in the first three quarters of this fiscal year, we've seen a 68 percent increase in our Offender Accredited Certification enrollments.

Conversely, as a result, our closures have also increased significantly in the 3rd Quarter. In the 3rd Quarter, we had an increase of 691 closures overall for the fiscal quarter, in the first three quarters. That's 62 percent increase, which is pretty much relevant to the 68 percent increase in nominations. Overall, we'll continue to see a trend of increases in our certifications as with the new roll out of the General Facilities Maintenance and Repair Program. That program incorporates seven of the Accredited Certification Courses as job required. So we're going to continue to see an increase in those certifications continue for the rest of the fiscal year.

Any questions on Certifications?

MR. JENKINS: Could you repeat the first figure for the Accredited Certification enrollment?

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MS. ARGENIO: Well, for the 3rd Quarter, it was a 930 increase in enrollments, but in the 1st, 2nd and 3rd quarters and compared to last fiscal year, it's been an overall increase of 68 percent of enrollments.

If you go to page -- actually, it does continue on that page 3, our Certificates of Proficiencies actually have decreased a little bit overall this fiscal year. That was mostly due because last fiscal year, our certifications were two-pronged. We were converting from an hourly-based Certification of Proficiency to a standardized testing procedure, where offenders actually had to take a test, pass successfully, in order to receive that certification. So our certifications, while they're still issuing them and they saw an increase from last quarter to this quarter of 59 Certificates, overall, it's been a little bit of a drop of 23 percent of those Certificates of Proficiencies.

MR. PATTILLO: We're still doing hourly certifications, but those are apprenticeship certified positions that we've moved to statewide. So you'll still see those kind of numbers static, and you're going to see even less of the actual certificates anymore.

MS. STEEB: You think this evens out as the new system is implemented, so we're not going to see dramatic

fluctuations?

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MR. PATTILLO: What used to happen is if you've got 1,500 hours, you got a certificate, and now we want you to go through the State Occupational Code Testing that Department of Industrial Relations is sponsoring, and so you'll see that just even out. I think it's a more pure, better way to do it, and we know people actually know what they're doing.

MS. ARGENIO: If you go to page 4 for High School Diploma. In the 3rd Quarter, we had an average of 5,277 offenders assigned. Of those 82 percent possessed a GED or a high school equivalent, and that's pretty much been the average for the fiscal year.

And the, lastly, if you go to page 5, our

Transition-to-Employment Program has been steadily

increasing in the services that we have been providing. In

the 3rd Quarter, we provided 135 Transitional packages.

It's an increase this fiscal year of 8 percent compared to

last fiscal year, and we continue to see that grow.

Our services and the services we are providing are increasing. We are hitting a higher population. We're making the program more readily available to all CALPIA offenders. Also, in the 3rd Quarter, we have started implementing obtaining duplicate birth certificates for those offenders and paying that fee for them for storing

them at our program. You know, once the offender is released or paroled, they contact our office, and we're providing that vital identification documentation. We're hoping by providing these services, they will be able to more easily obtain an ID card, a driver's license and obtain their duplicate social security cards they need.

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MR. PATTILLO: Instead of shooting for doing the ID or the license, we've gone to the base document, which is the birth certificate, and that's the one that's very easy for us to get for them, and so we're just storing it until they parole. And we do a couple of other things. We assign them a Gmail account now so they can access that when they get out, and that will have a lot of their documents there so it's kind of a model. They did that in Texas a couple of years ago. It just makes sense, and it's easily implementable, and it doesn't cost much money to do it.

MS. ARGENIO: And that is the end of Tab F. Does anyone have any questions?

MR. JENKINS: On the 3rd quarter, where we said 82 percent of the offenders enrolled had a high school diploma or equivalency, I'm curious how that compares to the general inmate population? Do we know that?

CHAIR KERNAN: One of the real important things for Board Members to understand is never to ask a question of the Chair that he might not know, but we can absolutely

get that. We have data. We can get to answer that question. I just don't know that off the top of my head.

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MS. STEEB: Can I also ask on that note? I know it varies widely, but is there an average length of time between starting the high school diploma program and getting it? Are we talking six months? Are we talking a year and a half?

MR. PATTILLO: You know, most of them are about a year out is usually what we see. And you'll see it out at Folsom where it's demonstrated. We have a classroom right there in the license plate factory where they're on our dime when they go up there. But it's usually about a year, and we're really shooting for the high school diploma not the proficiency. The number, and I don't have the exact number, but it is significantly lower out there for CDCR because most of those folks have to be in education. You'll see a lot of that. You'll see a higher number of no high school diploma.

There is an issue right now actually that we're going through about whether -- I think we're about to get a challenge on whether we can require them to have high school diplomas to start with us, as well as challenging our TABE Score, a few other things that we're going through right now. I think we're going to have some bumpy road ahead of us on --

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We don't require a high school diploma
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               MS. STEEB:
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     to start; we require that they participate in the high
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     school diploma --
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               MR. PATTILLO: We require them to get it
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     in 24 months. But usually the question is what happens if
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     they can't get it in 24 months? We have a provision that it
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     comes to my attention, and I sign a waiver saying that they
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     can have more time. There are some folks that will
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     continually work on it, and it will probably take them five
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     or six years. As long as they're still continuously working
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     on it, we're good.
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               MS. STEEB: Who's the challenge going to come
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     from?
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               MR. PATTILLO: The Prison Law Office.
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               CHAIR KERNAN: They've been touring and going to
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     some of the prison industry areas. They're all over us all
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     the time, but the concern of the ADA inmates or
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     developmentally disabled, not having the same opportunities
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     as other inmates, and they're pretty fervent in that, and I
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     think we ought to be careful of making sure that we're doing
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     appropriate, reasonable accommodations to address that
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     population.
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               MR. PATTILLO: And, again, I think we have it.
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     think we need to look at it as an overall arching as that's
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    part of CDCR. There is something for everybody. Not
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everything we do is for everybody. And when we have places where we have dangerous equipment for folks that may not be able to comprehend the work, or where they haven't reached the educational level to do what we need them to do, yeah, there has to be some concessions. But it just can't be a blanket policy that says everybody can do everything because that's just never going to work.

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CHAIR KERNAN: That's completely logical, although the Prison Law Office sometimes is less logical about it and more demanding, so we have to work through it.

MR. PATTILLO: You know, to be honest about it, we didn't know that this was an issue in the Prison Law Office until about 30 days ago, so we're just getting on the tip of this thing right now.

MR. JENKINS: Regardless, this is a positive.

This is super positive, and it's understated in all candor.

I mean just in terms of out facing public about knowing this kind of positive effort towards this population. It's understated, so I don't know if there's anything we can really do about that. It's just a little frustrating.

CHAIR KERNAN: Both with PIA and across the system. I mean the amount of college degrees that were given is steadily increasing, so Prop 57 and other things. The waiting list to get into those programs now has grown. The inmates are fervent into getting into those programs,

and that was never the case before. So, you're right. It's all understated. But I think PIA's done a particularly good job emphasizing people getting their high school diplomas and continuing to focus on it.

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MR. JENKINS: Well, I compliment you two.

MR. PATTILLO: Well, one of the things that this Board did is when -- you know, everything is open to everybody. When this Board made all positions available to be halftime statewide, what that allowed is folks that were in mental health problems, substance abuse, could do two things at one time. So, you know, we've opened it up for folks that have a mental health classification as long as there's no danger to them or anybody else in the factory. So we've kind of made a very open provision that makes this happen.

It's one of these things where as we get further, there's a couple of Board Members I'm going to reach out to and say, you know, we need your help to explain this on what real policy is, and I'm looking at Mr. Jenkins.

MR. JENKINS: I'll be happy to.

MR. PATTILLO: Thank you.

MR. KELLY: We need to stay on top of this because the CTE programs aren't going to be able to survive. You can run people through the courses, but if they don't have a high school diploma, they can't get into the Union, so just

interesting. 1 2. MR. PATTILLO: True. 3 CHAIR KERNAN: Any other questions? Thank you. 4 MR. MARTIN: Just a general comment. The mission 5 of PIA is to rehabilitate and stay out when they leave 6 prison, and, you know, like that video said, hey, we never 7 want to see you again, and it's not being offensive. It's 8 about you being successful out there. By requiring inmates 9 to get their GED or high school diploma just makes them that 10 much more successful. So, yes, I understand people with 11 learning disabilities, and they also have to be helped in 12 any way we can, but at the same time, we need to make sure 13 the mission is fulfilled, which is making sure that whoever 14 is in prison doesn't come back. MR. PATTILLO: Like I said, I think we have to 15 16 look at it as particularly the whole organizations. 17 something for everybody just not everything is for 18 everybody. 19 MR. JENKINS: That's right on point. 20 CHAIR KERNAN: Thank you very much. And on to my 21 favorite part of this. Mr. Pattillo, please, Information 2.2 Item G. 23 MR. PATTILLO: We're going to recognize -- this is 24 probably the favorite part of my year, recognizing 25 individuals. The CALPIA and the CDCR, and one individual

I'm hoping to see that — he did not make it. Wow. Did not want to be recognized. Recognizing the staff and everybody who helps us do our mission every year. This is folks out in the field, folks in headquarters, CDCR folks, that make our job easier and also epitomize what it means to work for PIA.

So if I could recognize the staff. If I could get them to stand up and — our first award in the Employee of the Year field goes to Tammy Boyce, Industrial Supervisor at Avenal State Prison, and she's been with us for over 22 years, and she's part of a team that's pretty interesting at Avenal. It's a lot of local folks that work down in Avenal. Very close family. It's a different dynamic than say if you worked at a CSP, Sacramento, where maybe not everybody socializes, but a lot of people are family down there and have been down in the area for years. She was nominated for her ability to fill in gaps and just solve problems quickly, and that is one of the recognitions that we have to have. So, Tammy, thank you very much.

[Applause.]

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MR. PATTILLO: Let's do the first picture up front if we can. The next award is Robert Perkins, Industrial Supervisor, Maintenance and Repair. So what's significant about Robert Perkins is his dad is Scott Perkins, who is our Operations Divisions Chief and was actually the Supervisor

of the Year two years ago, so this is kind of interesting.

Robert started with PIA as a Student Assistant about six years ago in our Inmate Employability Program.

I've known this kid since he was about 12 years old. He's about 17 now. He's worked his way up to his current role through hard work, determination, and evident commitment to CALPIA's mission. He's one of the hardest working employees I have. And I want to congratulate him because he's got a set of twins that are in the back of the room there, and he's got one more on the way right now, so he'll respectively have three kids here in about a short minute. And he's not even old enough to drink. Thank you, Robert Perkins.

[Applause.]

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MR. PATTILLO: Our Supervisor of the Year, Field, goes to Orlando Knox, Custodian Supervisor III, of the California Medical Facility. Orlando's been with us for two years. In that short time, he's shown a high level of commitment and dedication. He's a positive motivator among the inmates and his colleagues, and he shares his knowledge insights freely, and he's provided excellent support to his team, so, Orlando, come on up.

[Applause.]

MR. PATTILLO: The next Supervisor of the Year, Central Office, Caryn Argenio, the Industry Employability

Program. Her staff and managers unanimously agree on her excellent leadership skills and the way she inspires her team. She treats everyone with respect and practices accountability in her leadership and herself. Caryn's one of the hardest working people we've got out there, and so all this data that gets put together all the time, that's Caryn and her crew, and she's been the one rolling out the Transition Program, so we're very fortunate to have her, so thank you.

[Applause.]

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MR. PATTILLO: So our Correctional Officer of the Year is not even a Correctional Officer. He's a Lieutenant. I think if any of you have gone to San Quentin with me, you've met Sam Robinson, and Sam's known as the Mayor of San Quentin. He started with CDCR in '96, has been a PIO at San Quentin for 11 years. He has all of this positive energy. He's one of our biggest champions, and I've got to tell you, you see all the stuff that's coming out of San Quentin, it all runs through Sam, and we couldn't do it without him. I appreciate everything he does for me personally and for PIA as a whole and the department. He's well-known in the institution and well-known in the state, so thanks for everything you do, Sam.

[Applause.]

And I'm actually going to let Sam say a couple

1 words. 2. MR. PATTILLO: Sam, you want to 3 MR. ROBINSON: Man, you know. I'm really honored. 4 I'll tell you this, the first thing I remember when I began 5 my career 22 years ago in July, I remember one of the 6 instructors saying, you know, corrections is thankless. 7 That you'll do a lot of good work, but never, ever expect 8 anyone to thank you for anything you've done right. 9 And it's amazing that during the course of my 10 career that I've had the opportunity to be thanked several 11 times, and it's amazing because it's not anything that you 12 expect. You just go and do your part, and you try to make 13 the most of it, though it can be a very difficult situation, 14 and be recognized for doing the thinking stuff. It's an 15 honor. Thank you. 16 [Applause.] 17 MR. PATTILLO: A new category this year, and this 18 is a man in his own category. He's a former corrections 19 employee, and Robert Purvis is Correctional Educator of the 20 Year. He just retired recently, but he is the epitome of 21 partnership. At Folsom State Prison, he ran the Welding Lab 2.2 over there for how many years? 23 MR. PURVIS: Going on 22. 24 MR. PATTILLO: Big supporter of the apprenticeship 25 His biggest thing he did for us was training the programs.

1 folks before they came to us, and that partnership created 2 more iron workers, welders out there that any organization 3 or any institution has ever done. So Robert Purvis retired 4 about six months ago. I've been trying to talk him into 5 coming to work for us for the last five, so, Robert Purvis. 6 It's kind of one of those pound sand phone calls. 7 Robert Purvis, Vocational Instructor, Professor. Thank you. 8 [Applause.] MR. PATTILLO: So we had an individual that didn't 9 show up, and I'm not sure if it's confusion. Roy Borgersen, 10 11 who has been with us for 13 years, is retiring today. 12 was our first Laborers Instructor with Terry Shute 1.3 (phonetic) that is on our carpenter's side. Roy's history, 14 as you guys may know, he did himself eight years in prison. 15 Cleaned himself up. Been clean and sober for 30 years, and 16 a 35 year laborer. Unfortunately, I don't know why he 17 didn't show up today. We had a nice gift for him. But if 18 you see him around in the lobby say thank you. We're trying 19 to get him back out of retirement, but he said at 68 years 20 old, he's literally done, so thank you for that. 21 With that, I'm going to have Michele come up and 22 do her part, and then we'll be done. 23 MS. STEEB: And, Chuck, we didn't forget the 24 Warden of the Year? 25 MR. PATTILLO: I'm sorry. I didn't announce that.

We handed out -- Chuck Callahan is the Warden of the Year from Chuckawalla Valley State Prison. We handed that out at the Wardens' Meeting last month. Thank you.

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MS. KANE: Good morning, Board Members. I'm

Michele Kane, Chief of External Affairs. Since our last

Board Meeting, we've had several big events that have

received a lot of positive media coverage. The first is the

graduation at CIW. That was held on April 10. Seventy

women graduated from our CTE Programs, including our

Pre-Apprentice Programs, the Computer Coding Program. This

was largest group of graduates we ever had in Southern

California. Thank you to Board Member Michele Steeb for

delivering the keynote address, as well as Dawn Davison for

participating.

The next graduation was held at FWF on May 23rd. Seventy-two women graduated from CALPIA programs. CDCR
Undersecretary Ralph Diaz spoke at the event. We also had
State Building and Construction Trades Council President
Robbie Hunter deliver the keynote. He was quite the hit
there. Just as with CIW, union reps were on hand to support
the women, and we received great media coverage on that
event.

A couple of weeks ago, on June 15th, we had demo day, graduation, the opening of the new Technology Training Center. That was held at San Quentin State Prison. The

center was named in honor of Prison Industry Board Vice Chair Darshan Singh. It was a wonderful event. We had close to 300 guests.

[Applause.]

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MC Hammer was the keynote. Business executives from Google, Microsoft, as well as other tech companies attended this event. Thanks to Board Members Dawn Davison, Bob Jennings for attending. Also, a big thank you to Dar because, throughout the years, he has invested a lot of his time to help others in the Bay Area and throughout the state, so I encourage you all to visit the Dar's Tech Center in the next few weeks, few months. By the way, we had local national and international media coverage there, so quite an impressive turnout.

Employer Forum, and this is a wonderful event. It's where we can encourage employers to hire from our skilled workforce and population. This is where business owners can hear about the exciting benefits that are in store for them. As we know, offenders in our programs come out ready to work with job certifications in hand, so this is what we're all about.

We have an impressive lineup of speakers, including Secretary Kernan, as well as Mr. Pattillo. I encourage you all to attend. It comes with a nice hot

breakfast. It's from 9:00 to 11:00 in the morning.

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A few other dates right now to mark on your calendars. Get your pens out. We have our first AutoCAD Graduation. That's going to be held up at Pelican Bay State Prison, and that's going to be on August 21st. Also, for all the golfers in the room, or even if you don't golf, our golf benefit is set for October 12th this year. It's on a Friday. Hopefully, it doesn't rain. It should be cooler.

And, also, Women Working in Corrections and Juvenile Justice, they're hosting their National Conference, and that's here in Sacramento. I encourage all of you to show up there. It's from October 14th through the 17th. I can provide you more information, or Thy can, as well.

And with that said, have a happy and safe Fourth of July, and I'll see you at the next Board Meeting.

CHAIR KERNAN: Any questions for Michele? Thank you, Michele.

We now move on to the portion of the meeting reserved for comment regarding items not on the agenda.

Under the Bagley-Keene Act, the Board cannot act on items raised or improper comment, but may respond briefly to statements made or questions posed, or it may request clarification or refer the item to staff. Would anyone like to make a comment or address the Board? Do we have a question from this young man?

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               Okay.
                      This concludes our PIA Board Meeting of
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     June 28, 2018. Is there a motion to adjourn the meeting?
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               MR. PATTILLO: One second, Mr. Secretary.
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     could introduce somebody. This is my son, Charles, and it's
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     come to work day, and so I want to spend a couple hours --
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    he used to come to Folsom Prison too, so he's very familiar
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     with our operations.
               CHAIR KERNAN: Well, welcome.
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               [Applause.]
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               MR. PATTILLO: Before we close out the meeting, I
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     just want to let you know we were notified last week that we
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     are going to be audited by the Bureau of State Audits as
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    part of the Corrections Audit of in-prison programs, and
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     since we are a vendor to corrections, we were included in
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     that audit. It's not an issue for us. They're talking
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     about the utilization of positions, and so I think it will
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    be a positive. With that....
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               CHAIR KERNAN: May I have a motion to adjourn the
19
    meeting?
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               MR. JENKINS:
                            So moved.
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               CHAIR KERNAN: May I have a second?
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               VICE-CHAIR SINGH: Second.
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               CHAIR KERNAN: All in favor say aye.
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               [Aye.]
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               CHAIR KERNAN: Motion carries.
                                               This concludes our
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meeting, and we are adjourned at 11:33 a.m. Thank you all
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     very much.
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                (The matter was concluded at 11:33 a.m.)
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| 1 | CERTIFICATE OF SHORTHAND REPORTER |
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| 3 | I, Vicki L. Britt, Certified Shorthand Reporter |
| 4 | and Registered Professional Reporter of the State of |
| 5 | California, do hereby certify that I am a disinterested |
| 6 | person herein; that I reported the foregoing matter in |
| 7 | shorthand writing; that I thereafter caused my shorthand |
| 8 | writing to be transcribed into typewriting. |
| 9 | |
| 10 | I further certify that I am not of counsel of |
| 11 | attorney for any of the parties to said matter, or in any |
| 12 | way interested in the outcome of said matter. |
| 13 | |
| 14 | IN WITNESS WHEREOF, I have hereunto set my hand |
| 15 | this 30th day of July, 2018. |
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| 17 | |
| 18 | /s/ Vicki L. Britt |
| 19 | VICKI L. BRITT, RPR, CSR No. 13170 |
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